

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE TO AMEND SECTION 24.1-403(g)(1) OF THE YORK COUNTY ZONING ORDINANCE TO ALLOW “SINGLE-FAMILY ATTACHED” DWELLING UNITS TO BE ELIGIBLE FOR THE SPECIAL BUILDING ADDITION AND ACCESSORY STRUCTURE SETBACK PROVISIONS CURRENTLY LIMITED TO “TOWNHOUSE” UNITS

WHEREAS, Section 24.1-403(G)(1) of the Zoning Ordinance establishes certain special setback provisions for additions to townhouse dwelling units and structures accessory to townhouse units; and

WHEREAS, it has come to the Board’s attention that the current wording does not allow such special setback provisions to apply to duplexes and multiplexes, both of which are “single-family attached dwelling units” as are townhouses: and

WHEREAS, in the interest of good zoning practice, the Board sponsored Application No. ZT-87-04 to amend Section 24.1-403(g)(1) to expand the special setback provisions to apply to all types of “single-family attached” dwelling units;

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends adoption of the proposed amendments; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this the ____ day of _____, 2004, that Section 24.1-403(g)(1) of the York County Zoning Ordinance be, and it is hereby, amended to read and provide as follows:

Sec. 24.1-403. Standards for single-family attached dwellings.

The following standards shall be required of all single-family attached developments. Evidence of compliance shall be demonstrated through preparation of a site plan in accordance with all requirements of article V.

- (g) Each single-family attached dwelling unit shall have direct access to a private rear or side yard or patio area which should be enclosed or visually screened by fences, walls or plantings. Accessory storage sheds, fences, walls or other structures, designed and constructed at the time of development as an architecturally compatible addition to the dwelling unit, may occupy up to sixty (60) square feet ~~{2m²}~~ of the required rear or side yard area. Such sheds shall not exceed six feet (6') ~~{2m}~~ in width nor ten feet (10') ~~{3m}~~ in depth and shall be located along one of the side lot lines in order to serve as a privacy screen and to maximize the usefulness of the remaining yard/patio area. Other provisions of this chapter notwithstanding, required yard setback dimensions shall be measured to the ~~townhouse~~ unit rather than to any attached accessory structure.

In addition to the above-described standards, the following provisions shall apply in the situations noted:

- (1) When the rear lot line of a ~~townhouse~~ single-family attached unit abuts a common open space strip of at least twenty feet (20') ~~{6m}~~ in width, or where the rear lot line faces the side lot line of an adjoining unit and is separated from it by a common open space strip of at least ten feet (10') ~~{3m}~~ in width, there may be, as a part of the original construction, or as a later addition, a single-story attached room, storage shed, patio enclosure, screened porch, awning, or other similar structure which projects into the required fifteen foot (15') ~~{4.5m}~~ setback by as much as ten feet (10') ~~{3m}~~. No such extension shall be closer to a side lot line than otherwise authorized by the applicable dimensional regulations.
- (2) Detached single-story storage sheds or similar structures may be located within the required fifteen foot (15') ~~{4.5m}~~ rear yard area and along a side or rear property line provided that they do not exceed sixty (60) square feet ~~{5m²}~~ in area, are located at least five feet (5') ~~{1.5m}~~ from the principal structure, and the rear lot line abuts a common open space area of at least twenty-five feet (25') ~~{7.5m}~~ in width.
- (3) For the purposes of administering the provisions set forth in Sections 24.1-403(g)(1) and (2) above, for a quadruplex lot or other residential lot in a multiplex grouping in which units are arranged back-to-back and side-to-side, no additions or accessory structures shall be permitted in yards that abut a public or private street or parking area.
